



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/606,383	06/28/2000	Quentin J. Clark	MS150960.1	5951

27195 7590 10/08/2003

AMIN & TUROCY, LLP
24TH FLOOR, NATIONAL CITY CENTER
1900 EAST NINTH STREET
CLEVELAND, OH 44114

EXAMINER

VU, THANH T

ART UNIT	PAPER NUMBER
----------	--------------

2174

DATE MAILED: 10/08/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/606,383

Applicant(s)

CLARK ET AL.

Examiner

Thanh T. Vu

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-75 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-75 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 16, 18 and 45 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 16 cannot be dependent on itself.

Claim 18 recites the limitation "the display objects" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 45 recites the limitation "the display object" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 7, 9-21, 23-25, 31-48 are rejected under 35 U.S.C. 102(e) as being anticipated by Chin et al. (U.S. Pat. No. 6,456,306).

Per claim 1, Chin teaches a user interface to display and manage a plurality of entities as if a single entity, comprising:

a representation of a collection of members as a single entity (fig. 3; site pane 310 and resources pane 320); and

an individual representation of each member associated with the entity wherein if an action is performed on the representation of the collection of members, then the action is propagated to the collection of members, if the action is performed on the representation of the member associated with the entity, then the action is directed to the member (figs. 3 and 6; col. 9, lines 40-56; col. 9, lines 60 - col. 10, lines 5).

Per claim 2, Chin teaches the user interface of claim 1 depicting a plurality of resources that are at least one of sent to the collection as a whole and sent to the members (fig. 6; resources: tools 661-664; col. 8, lines 55-col. 9, line 7; col. 9, lines 40-56).

Per claim 3, Chin teaches the user interface of claim 1 depicting a plurality of resources to at least one of deploy to a different entity, deploy to a member of a different entity, deploy to a member of the same entity, and deploy from a member of the same entity to the entity itself (fig. 6; resources: tools 661-664; col. 8, lines 55-col. 9, line 7); col. 9.

Per claim 4, Chin teaches the user interface of claim 3 wherein a user is enabled to at least one of deploy to a different entity, deploy to a member of a different entity, deploy to a member of the same entity, and deploy from a member of the same entity to the entity itself (fig. 6; resources: tools 661-664; col. 8, lines 55-col. 9, line 7).

Per claim 5, Chin teaches the user interface of claim 1 wherein a plurality of display objects is a representation of the members of the entities as a whole (fig. 3; site pane 310 and resources pane 320; contents pane 330).

Per claim 7, chin teaches the user interface of claim 1 wherein the members are depicted by individual display objects (fig. 3; site pane 310 and resources pane 320; contents pane 330).

Per claim 9, Chin teaches the user interface of claim 1 providing a performance view of a plurality of resources on the collection of members as a whole (fig. 6; col. 2, lines 40-44; col. 9, lines 50-56).

Per claim 10, Chin teaches the user interface of claim 9 providing a performance view of the plurality of resources associated with the member (fig. 6; col. 2, lines 40-44; col. 9, lines 40-46; col. 9, lines 60-col. 10, lines 5).

Per claim 11, Chin teaches the user interface of claim 1 providing an events view of a plurality of resources on the collection of members as a whole (fig. 6; col. 8, lines 65-67; col. 9, lines 50-56).

Per claim 12, Chin teaches the user interface of claim 11 providing an events view of the plurality of resources associated with the member (fig. 6; col. 8, lines 65-67; col. 9, lines 40-46; col. 9, lines 60-col. 10, lines 5).

Per claim 13, Chin teaches the user interface of claim 1 providing a monitor view of a plurality of resources on the collection of members as a whole (fig. 6; col. 8, lines 55-62; col. 9, lines 50-56).

Per claim 14, Chin teaches the user interface of claim 13 providing a monitor view of the plurality of resources associated with the member (fig. 6; col. 8, lines 55-62; col. 9, lines 40-46; col. 9, lines 60-col. 10, lines 5).

Per claim 15, Chin teaches the user interface of claim 1 providing a status of a plurality of resources on the collection of entities as a whole (fig. 6; col. 9, lines 1-7 and lines 50-56).

Per claim 16, Chin teaches the user interface of claim 15 providing a status of the plurality of resources associated with the member (fig. 6; col. 9, lines 1-7 and lines 40-46; col. 9, lines 60-col. 10, lines 5).

Per claim 17, Chin teaches the user interface of claim 1 operative to facilitate a user interfacing the entity from an entity not associated with the entity as a whole (figs. 3 and 6; col. 2, lines 35-40; col. 9, lines 24-27).

Per claim 18, Chin teaches the user interface of claim 1, the display objects serving as an interface for at least one of creating the entity, adding members to the entity, and deploying content across the entity (fig. 3; col. 2, lines 27-35).

Per claim 19, Chin teaches the user interface of claim 1 providing an aggregated display of performance of the entity as a whole (fig. 6; col. 8, lines 48-53).

Per claim 20, Chin teaches the user interface of claim 19, wherein display objects provide an aggregated status of the entity as a whole (fig. 6; col. 8, lines 1-5 and lines 36-44).

Per claim 21, Chin teaches the user interface of claim 20, the status including at least one of on-line status and synchronization status (fig. 6; col. 7, lines 24-35).

Per claim 23, Chin teaches the user interface of claim 1 providing a display of performance for a member of the entity (figs 3 and 6; col. 2, lines 40-44).

Per claim 24, Chin teaches the user interface of claim 23, wherein display objects provide status for a member of the entity (fig. 6; col. 8, lines 1-5 and lines 36-44).

Per claim 25, Chin teaches the user interface of claim 24, the status including at least one of on-line status and synchronization status (fig. 6; col. 7, lines 24-35).

Per claim 31, Chin teaches the user interface of claim 1 providing a display of events for the entity (fig. 6; col. 8, lines 65-67).

Per claim 32, Chin teaches the user interface of claim 31 wherein the display provides at least one of a date, time, server name, source for the event, event id, and description for the event (fig. 6; col. 8, lines 65-67; col. 9, lines 53-55).

Per claim 33, Chin teaches the user interface of claim 31 wherein display objects enable the user to filter an event log to at least one of select a product type, select an event type, select an event id (fig. 6; col. 7, lines 53-54).

Per claim 34, Chin teaches the user interface of claim 31 providing a display of events for members within the entity, wherein the events are related to at least one of applications, monitors, performance, and resources (fig. 6; col. 8, lines 65-67).

Per claim 35, Chin teaches the user interface of claim 34 wherein the display provides at least one of a date, time, server name, source for the event, event id, and description for the event (fig. 6; col. 9, lines 53-56).

Per claim 36, Chin teaches the user interface of claim 21 wherein display objects enable the user to at least one of select an event source, select an event type, select an event id, and filter a collection of events (fig. 6, lines 55-57).

Art Unit: 2174

Per claim 37, Chin teaches the user interface of claim 1 providing a display to monitor performance of the entity (fig. 6; col. 8, lines 55-63).

Per claim 38, Chin teaches the user interface of claim 37 wherein display objects enable the user to at least one of edit monitors, disable monitors, and check monitor status (fig. 4; unmonitor icon; col. 8, lines 55-63).

Per claim 39, Chin teaches the user interface of claim 38 wherein the display provides status of the monitors (fig. 6; col. 7, lines 55-57).

Per claim 40, Chin teaches the user interface of claim 39 wherein the status is displayed with at least one of a date, name, time, threshold, and value (col. 7, lines 18-22).

Claims 41-44 are rejected under the same rationale as claims 37-40 respectively.

Per claim 45, Chin teaches the user interface of claim 1, wherein the display object is a collection of members forming the entity (fig. 3; col. 2, lines 35-40).

Per claim 46, Chin teaches the user interface of claim 1, wherein the display object represents a member within the entity.

Per claim 47, Chin teaches the user interface of claim 1, wherein the display object represents at least one of applications, monitors, and performance for the entity (fig. 6; col. 8, lines 55-63).

Per claim 48, Chin teaches the user interface of claim 1, wherein the display object represents at least one of events and monitors for members associated with the entity (fig. 6; col. 8, lines 55-63).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chin et al. (U.S. Pat. No. 6,456,306) in view of Richardson (U.S. Pat. No. 6,271,845).

Per claim 6, Chin teaches the user interface of claim 5, but does not teach the display objects represent at least one of a machine or cluster. However, Richardson teaches the display objects represent at least one of a machine or cluster (figs. 9 and 10; col. 11, lines 44). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teaching of Richardson in the invention of Chin because an administrator can quickly display network health problems associated with a group view of machines or servers.

Claim 8 is rejected under the same rationale as claim 6.

Claims 22 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chin et al. (U.S. Pat. No. 6,456,306) in view of Manghirmalani et al. ("Manghirmalani", U.S. Pat. No. 5,819,028).

Per claim 22, Chin teaches the user interface of claim 20, but does not teach display objects provide for time adjustment of the performance display. However, Manghirmalani teaches teach display objects provide for time adjustment of the performance display (fig. 4; col. 8, lines 54-61). Therefore, it would have been obvious to one of ordinary skill in the art at the

Art Unit: 2174

time of the invention to include the teaching of Maghirmalani in the invention of Chin in order to display to users the health of the network devices with respect to time.

Claim 26 is rejected under the same rationale as claim 22.

Claims 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chin et al. (U.S. Pat. No. 6,456,306) in view of Bradley et al. ("Bradley", U.S. Pat. No. 6,584,507).

Per claim 27, Chin teaches the user interface of claim 1, but does not teach the user interface providing a display of applications for the entity. However, Bradley teaches the user interface providing a display of applications for the entity (fig. 3G; col. 12, lines 56-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teaching of Bradley in the invention of Chin in order to provide the network administrator a user interface for configuration management of the network and distribution of program applications.

Per claim 28, Bradley teaches the user interface of claim 27, wherein display objects enable the user to at least one of create applications, delete applications, rename applications, and synchronize applications throughout the entity (fig. 3A-3H; col. 10, lines 31-40).

Per claim 29, Bradley teaches the user interface of claim 27, providing a display of resources within the applications (figs. 3D-3E; col. 11, lines 20-34).

Per claim 30, Bradley teaches the user interface of claim 29, wherein display objects enable the user to add and remove resources from applications (figs. 3D-3E; col. 11, lines 20-34).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Paxhia et al. (U.S. Pat. No. 6,393,477) discloses system and method for an administration server.

Landan (U.S. Pat. No. 6,564,342) discloses post-deployment monitoring of server performance.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh T. Vu whose telephone number is (703)-308-9119. The examiner can normally be reached on Mon-Thur and every other Fri 8:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (703) 308-0640. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

T. Vu

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100